

By: Senator(s) Burton

To: Business and Financial  
Institutions

SENATE BILL NO. 2290

1 AN ACT TO PROVIDE THAT A PROFESSIONAL LICENSE ISSUED IN THE  
2 STATE OF MISSISSIPPI TO ANY MEMBER OF THE MISSISSIPPI NATIONAL  
3 GUARD OR UNITED STATES ARMED FORCES RESERVES SHALL NOT EXPIRE  
4 WHILE THE MEMBER IS SERVING ON FEDERAL ACTIVE DUTY AND SHALL BE  
5 EXTENDED FOR 90 DAYS AFTER HIS RETURN; TO AMEND SECTIONS 73-1-27,  
6 73-2-15, 73-3-123, 73-4-17, 73-5-37, 73-6-17, 73-7-19, 73-9-19,  
7 73-10-21, 73-11-51, 73-13-31, 73-14-31, 73-15-27, 73-17-11,  
8 73-19-21, 73-21-91, 73-23-57, 73-24-27, 73-25-14, 73-26-5,  
9 73-27-12, 73-29-29, 73-30-29, 73-31-9, 73-33-7, 73-34-25,  
10 73-35-17, 73-36-29, 73-38-29, 73-39-75, 73-42-11, 73-53-15,  
11 73-54-27, 73-55-13, 73-57-27, 73-59-3, 73-60-21, 73-61-3,  
12 73-63-35, 73-65-9 AND 73-67-15, MISSISSIPPI CODE OF 1972, IN  
13 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

15 **SECTION 1.** A professional license issued pursuant to any  
16 provision of Title 73 to any member of the Mississippi National  
17 Guard or the United States Armed Forces Reserves shall not expire  
18 while the member is serving on federal active duty and shall be  
19 extended for a period not to exceed ninety (90) days after his  
20 return from federal active duty. If the license is renewed during  
21 the 90-day period after his return from federal active duty, the  
22 member shall only be responsible for normal fees and activities  
23 relating to renewal of the license and shall not be charged any  
24 additional costs such as, but not limited to, late fees or  
25 delinquency fees. The member shall present to the authority  
26 issuing the professional license a copy of his official military  
27 orders or a written verification from the member's commanding  
28 officer before the end of the 90-day period in order to qualify  
29 for the extension.

30 **SECTION 2.** Section 73-1-27, Mississippi Code of 1972, is  
31 amended as follows:

32           73-1-27. Except as provided in Section 1 of Senate Bill No.  
33 2290, 2006 Regular Session, every registered architect who resides  
34 in this state and desires to continue to practice his profession  
35 in this state shall, during the time he shall continue to  
36 practice, pay biennially to the secretary of said board during the  
37 month of November, a fee of not to exceed Four Hundred Dollars  
38 (\$400.00) and every registered architect residing out of this  
39 state who desires to continue to practice his profession in this  
40 state shall, during the time he shall continue to practice, pay  
41 biennially to the secretary of said board during the month of  
42 November, a fee of not to exceed Four Hundred Dollars (\$400.00),  
43 and the secretary shall thereupon issue to such registered  
44 architect a certificate of renewal of his registration for a term  
45 of two (2) years. Upon failure to have his certificate renewed  
46 during the month of November as provided by this section, the  
47 holder thereof shall have his certificate revoked, but the failure  
48 to renew said registration in ample time shall not deprive him of  
49 the right to renewal upon payment of said fee, provided his  
50 application for reinstatement is made within two (2) years after  
51 the expiration of his certificate. On all applications for  
52 reinstatement made after January 1 of the year immediately  
53 succeeding the year in which the fee is due, there shall be a late  
54 charge of Five Dollars (\$5.00) per month charged for the  
55 processing of such application.

56           **SECTION 3.** Section 73-2-15, Mississippi Code of 1972, is  
57 amended as follows:

58           73-2-15. Except as provided in Section 1 of Senate Bill No.  
59 2290, 2006 Regular Session, the board shall require that every  
60 landscape architect shall pay a biennial license renewal fee set  
61 by the board not in excess of Two Hundred Dollars (\$200.00). The  
62 renewal fee shall be due and payable on the first day of January  
63 of each year in which the fee is required to be paid and shall  
64 become delinquent after the thirty-first day of January of such

65 year, and if the renewal fee is not paid before it becomes  
66 delinquent, a penalty fee of Five Dollars (\$5.00) shall be added  
67 to the amount thereof per month. If the renewal fee and penalty  
68 are not paid before the first day of June in the year in which  
69 they become due, the landscape architect's certificate shall be  
70 suspended. The certificate may be reinstated upon the payment of  
71 the renewal fee, the penalty fees and a reinstatement fee of Fifty  
72 Dollars (\$50.00), and provision of such proof of the landscape  
73 architect's qualifications as may be required in the sound  
74 discretion of the board.

75 The board shall send a receipt to each landscape architect  
76 promptly upon payment of the renewal fee.

77 The board may recognize, prepare or administer continuing  
78 education programs for landscape architects as a basis for license  
79 renewal.

80 The board shall adopt an appropriate seal for use by licensed  
81 landscape architects.

82 **SECTION 4.** Section 73-3-123, Mississippi Code of 1972, is  
83 amended as follows:

84 73-3-123. (1) Each member of the bar shall, unless exempt  
85 by virtue of Section 73-3-125 and Section 1 of Senate Bill No.  
86 2290, 2006 Regular Session, pay enrollment fees each year in an  
87 amount as established by the board of commissioners, but not to  
88 exceed the sum of Four Hundred Dollars (\$400.00) for those members  
89 admitted to practice law for three (3) years or more; and Two  
90 Hundred Sixty Dollars (\$260.00) for those members admitted to  
91 practice law for one (1) year, but less than three (3) years; and  
92 Two Hundred Dollars (\$200.00) for those members admitted to  
93 practice law less than one (1) year; and Fifty Dollars (\$50.00)  
94 for those members on inactive status. All enrollment fees shall  
95 be paid for the same period, that is, for the period of one (1)  
96 year beginning on the day and month to be determined as provided

97 in Section 73-3-127. The enrollment fees shall be paid to the  
98 secretary of the bar.

99 (2) The Board of Bar Commissioners shall increase enrollment  
100 fees within the limitations imposed by subsection (1) of this  
101 section by not more than the minimum increment necessary to cover  
102 the annual expenses of The Mississippi Bar.

103 **SECTION 5.** Section 73-4-17, Mississippi Code of 1972, is  
104 amended as follows:

105 73-4-17. There shall be three (3) classes of auctioneers'  
106 licenses, which shall be livestock auctioneer, auctioneer and  
107 auction gallery. All applicants for a license under this chapter  
108 shall possess the following minimum qualifications:

109 (a) Applicants shall have attained the age of eighteen  
110 (18) years by the issuance date of the license.

111 (b) Applicants shall have obtained at a minimum a high  
112 school diploma or G.E.D. equivalent and shall be graduates of an  
113 auctioneering school approved by the commission.

114 (c) Each applicant for a license under this chapter  
115 shall demonstrate to the commission that he is of good moral  
116 character and worthy of public trust through background  
117 information to be provided on his application form and two (2)  
118 letters of reference from persons not related to the applicant who  
119 have known the applicant at least three (3) years. The commission  
120 may require additional information or a personal interview with  
121 the applicant to determine if such applicant should be granted a  
122 license.

123 (d) Each applicant for a license under this chapter  
124 shall take and successfully complete an examination as prescribed  
125 by the commission. The examination shall include questions on  
126 ethics, reading comprehension, writing, spelling, elementary  
127 arithmetic, elementary principals of land economics, general  
128 knowledge of bulk sales law, contracts of sale, agency, leases,  
129 brokerage, knowledge of various goods commonly sold at auction,

130 ability to call bids, knowledge of sale preparation and proper  
131 sale advertising and sale summary, and knowledge of the provisions  
132 of this chapter and the commission's rules and regulations. There  
133 shall be separate examinations for auctioneer and auction gallery  
134 each based upon relevant subject matter appropriate to the license  
135 classification as set forth herein. Examinations shall be  
136 administered at least once a year and may be administered  
137 quarterly at the commission's discretion provided there are at  
138 least twenty-five (25) examinees. The commission shall ensure  
139 that the various forms of the test remain secure.

140 (e) In order to defray the cost of administration of  
141 the examinations, applicants for the examination shall pay fees as  
142 follows:

- 143 (i) Auctioneer..... \$ 100.00
- 144 (ii) Auction gallery..... \$ 100.00
- 145 (iii) Livestock auctioneer..... \$ 100.00

146 (f) Each applicant desiring to sit for the examination  
147 for any license required under this chapter shall be required to  
148 furnish to the commission at least thirty (30) days prior to the  
149 examination evidence of a surety bond in the following minimum  
150 amounts:

- 151 (i) Auctioneer..... \$10,000.00
- 152 (ii) Auctioneer gallery..... \$10,000.00
- 153 (iii) Livestock auctioneer..... \$10,000.00

154 (g) In addition to the bond required herein, applicants  
155 for the auction gallery license shall furnish the commission with  
156 all relevant information concerning the premises to be licensed,  
157 to include location, whether the premises are owned or leased, and  
158 an affidavit that the proposed use of the premises as an auction  
159 gallery does not violate zoning or any other use restrictions. A  
160 separate license shall be required for each business location of  
161 the owner of multiple auction galleries.

162           (h) Except as provided in Section 1 of Senate Bill No.  
163 2290, 2006 Regular Session, all licenses granted pursuant to this  
164 chapter shall be for a term of two (2) years and shall expire on  
165 the first day of March at the end of such two-year term. Biannual  
166 license fees shall be set from time to time by the commission with  
167 a maximum fee of Two Hundred Dollars (\$200.00). Individuals  
168 failing to submit license renewal fees on or before March 1 of the  
169 year for renewal shall be required to successfully pass the next  
170 administration of the examination in order to renew a license.

171           Each application or filing made under this section shall  
172 include the social security number(s) of the applicant in  
173 accordance with Section 93-11-64, Mississippi Code of 1972.

174           **SECTION 6.** Section 73-5-37, Mississippi Code of 1972, is  
175 amended as follows:

176           73-5-37. Except as provided in Section 1 of Senate Bill No.  
177 2290, 2006 Regular Session, every registered barber and barber  
178 instructor who continues in active practice or service shall  
179 annually on or before the anniversary date of the issuance of his  
180 certificate of registration renew the certificate by paying the  
181 required fee and meeting all applicable requirements of the State  
182 Board of Health. Every certificate of registration which has not  
183 been renewed within thirty (30) days of its anniversary date shall  
184 expire. A registered barber or barber instructors whose  
185 certificate of registration has expired may have his certificate  
186 restored immediately upon payment of the renewal fee plus the  
187 required restoration fee.

188           **SECTION 7.** Section 73-6-17, Mississippi Code of 1972, is  
189 amended as follows:

190           73-6-17. The State Board of Chiropractic Examiners shall  
191 charge the following fees for application, examination and  
192 issuance of certificates: application, One Hundred Dollars  
193 (\$100.00); examination and issuance of certificate, Two Hundred  
194 Dollars (\$200.00) for all applicants; provided, however, that

195 resident and nonresident applicants shall have first successfully  
196 completed parts 1, 2, 3 and 4 and the physical modality section of  
197 the examination prepared by the National Board of Chiropractic  
198 Examiners.

199 Except as provided in Section 1 of Senate Bill No. 2290, 2006  
200 Regular Session, every registered chiropractor in order to  
201 continue the practice of chiropractic shall pay annually to the  
202 secretary of the board a registration renewal fee of not more than  
203 Three Hundred Dollars (\$300.00) and, in addition to such renewal  
204 fee, shall be required to file with the secretary of the board a  
205 certificate, certified by a state board and state association,  
206 verifying his attendance at a course of study approved by the  
207 board consisting of not less than twelve (12) hours of instruction  
208 in the latest developments in the practice of chiropractic of  
209 which at least three (3) hours shall be instruction in the subject  
210 of risk management. Provided, that any chiropractor who has  
211 reached the age of seventy-five (75) years and is not  
212 participating in an active practice shall not be required to pay  
213 said renewal fee or submit the twelve (12) hours of continuing  
214 education. Any chiropractor who has received a certificate of  
215 licensure in this state under the provisions of Section 73-6-21  
216 shall be in good standing in the state of his original licensure  
217 in order to renew his certificate in this state, and the board  
218 shall refuse to renew the certificate of any such chiropractor  
219 whose license has been suspended or revoked for cause in the state  
220 of his original licensure. In case of failure to pay the renewal  
221 fee, the board may revoke such certificate after giving sixty (60)  
222 days' notice to the holder who, within such period, may renew such  
223 certificate upon payment of the delinquent fee with a special  
224 processing charge of not more than Three Hundred Dollars  
225 (\$300.00). Lack of participation in active practice for a period  
226 of less than two (2) years, except when a doctor is in active  
227 military duty, shall not deprive the holder of the right to renew

228 such certificate, without examination, upon the payment of all  
229 lapsed fees and proof of required continuing education hours.

230 **SECTION 8.** Section 73-7-19, Mississippi Code of 1972, is  
231 amended as follows:

232 73-7-19. Except as provided in Section 1 of Senate Bill No.  
233 2290, 2006 Regular Session, all licenses shall be renewed  
234 biennially under the fee schedule in Section 73-7-29.

235 Applications for renewal of licenses for cosmetologists,  
236 estheticians, manicurists, wig specialists and instructors must be  
237 accompanied by the required renewal fee. A grace period of sixty  
238 (60) days will be given in which to renew the license; and upon  
239 the expiration of the grace period of sixty (60) days, any  
240 applicant for the renewal of a license will be required to pay the  
241 required renewal fee and a delinquent fee in addition to the  
242 renewal fee. The fees may be paid by either personal or certified  
243 check, cash or money order, under such safeguards, rules and  
244 regulations as the board may prescribe. Checks returned to the  
245 board because of insufficient funds shall result in nonrenewal of  
246 the license, which will require the penalty fee for insufficient  
247 fund checks plus all other amounts due for renewal of the license  
248 before the license may be renewed. After one (1) year has passed  
249 from the expiration date of the license, a delinquent fee must be  
250 paid for each year up to three (3) years, after which the required  
251 examination must be taken. All applications for examination  
252 required by this chapter shall expire ninety (90) days from the  
253 date thereof.

254 Each application or filing made under this section shall  
255 include the social security number(s) of the applicant in  
256 accordance with Section 93-11-64.

257 **SECTION 9.** Section 73-9-19, Mississippi Code of 1972, is  
258 amended as follows:

259 73-9-19. The State Board of Dental Examiners shall maintain  
260 a compiled list of the names and post office addresses of all



261 licensees registered with the board, arranged alphabetically by  
262 name and also by the municipalities where their offices are  
263 situated. Every licensee shall notify the board within thirty  
264 (30) days of any change in address of his or her office or  
265 residence. Failure to keep the board apprised of any change of  
266 address may result in an administrative penalty to the licensee,  
267 the amount of which shall not exceed the amount stipulated in  
268 Section 73-9-43. Every licensee shall prominently display his or  
269 her current registration, either the original or a notarized copy,  
270 in his or her place(s) of business. As used in this section, the  
271 word "licensee" shall include all dental and dental hygiene  
272 license holders, as well as all holders of permits duly issued by  
273 the board.

274 Except as provided in Section 1 of Senate Bill No. 2290, 2006  
275 Regular Session, every licensee shall, in accordance with the laws  
276 and rules and regulations of the board, together with appropriate  
277 required information and renewal fee, apply for renewal for such  
278 period as set by the board, and the board shall issue the  
279 registration certificate to any licensee in good standing with the  
280 board. The board shall have the specific authority to adopt such  
281 rules and regulations setting the dates and deadlines for  
282 license/permit renewal and establishing the penalty for failure to  
283 renew same.

284 Any licensee performing acts within the scope of this chapter  
285 without legally having in his or her custody a valid active  
286 registration certificate or duly issued duplicate therefor in  
287 accordance with provisions elsewhere set out may be found guilty  
288 and punished or prosecuted therefor in accordance with law;  
289 however, the filing of the application, the payment of the fee,  
290 and the issuance of the certificate therefor, shall not entitle  
291 the holder thereof to lawfully practice within the State of  
292 Mississippi unless he or she has in fact been previously licensed  
293 by the State Board of Dental Examiners as provided by this

294 chapter, and unless the license/permit is in full force and  
295 effect; in addition, in any prosecution for the unlicensed  
296 practice, the receipt showing payment of the renewal fee required  
297 by this chapter shall not be treated as evidence that the holder  
298 thereof is lawfully entitled to practice according to his or her  
299 license/permit.

300 Any licensee who is registered but not actively practicing in  
301 the State of Mississippi at the time of making application for  
302 renewal, shall be registered on the "inactive" list and shall not  
303 be authorized to practice his or her profession in this state.  
304 The "inactive" list shall be maintained by the board and shall set  
305 out the names and post office addresses of all licensees  
306 registered but not actively practicing in this state, arranged  
307 alphabetically by name and also by the municipalities and states  
308 of their last known professional or residential address. However,  
309 licensed dentists or dental hygienists actively practicing at a  
310 veterans hospital, federal government facility or residency  
311 graduate school program at the time of renewal shall not be  
312 registered on the inactive list.

313 Only the licensees registered on the appropriate list as  
314 actively practicing in the State of Mississippi shall be  
315 authorized to practice their profession. For the purpose of this  
316 section, any licensed dentist or dental hygienist who has actively  
317 practiced his or her profession for at least three (3) months of  
318 the immediately preceding license renewal period shall be  
319 considered in active practice.

320 No licensee shall be registered on the "inactive" list until  
321 the licensee has been furnished a statement of intent to take that  
322 action by the board. The board shall notify the licensee by mail  
323 that on the day fixed for hearing he or she may appear and show  
324 cause, if any, why his or her license/permit to practice dentistry  
325 or dental hygiene should remain active. The licensee may be  
326 present at the hearing in person, by counsel, or both. For the

327 purpose of the hearing the board may require the attendance of  
328 witnesses, administer oaths and hear testimony, either oral or  
329 documentary, for and against the licensee, and if after the  
330 hearing, the board is satisfied that the licensee should be  
331 registered on the inactive list, it shall thereupon without  
332 further notice take that action.

333 Any licensed dentist or dental hygienist registered on the  
334 "inactive" list shall not be eligible for registration on the  
335 active list until either of the following conditions have been  
336 satisfied:

337 (a) Written application shall be submitted to the State  
338 Board of Dental Examiners stating the reasons for the inactivity  
339 and setting forth such other information as the board may require  
340 on an individual basis; or

341 (b) Evidence to the satisfaction of the board shall be  
342 submitted that they have actively practiced their profession in  
343 good standing in another state and have not been guilty of conduct  
344 that would warrant suspension or revocation as provided by  
345 applicable law.

346 **SECTION 10.** Section 73-10-21, Mississippi Code of 1972, is  
347 amended as follows:

348 73-10-21. (1) Rules, regulations and standards.

349 (a) The board is hereby empowered, authorized and  
350 directed to adopt, amend, promulgate and enforce such rules,  
351 regulations and standards governing dietitians as may be necessary  
352 to further the accomplishment of the purpose of the governing law,  
353 and in so doing shall utilize as the basis thereof the  
354 corresponding recommendations of the advisory council. The rules,  
355 regulations and minimum standards for licensing of dietitians may  
356 be amended by the board as deemed necessary. In so doing, the  
357 board shall utilize as the basis thereof the corresponding  
358 recommendations of the advisory council.

359           (b) The board shall publish and disseminate to all  
360 licensees, in appropriate manner, the licensure standards  
361 prescribed by this chapter, any amendments thereto, and such rules  
362 and regulations as the board may adopt under the authority vested  
363 by Section 73-38-13, within sixty (60) days of their adoption.

364           (2) The board shall adopt a code of ethics for dietitians  
365 using as the basis thereof the ADA "Code of Ethics for the  
366 Profession of Dietetics."

367           (3) Issuance and renewal of licenses.

368           (a) The board shall issue a license to any person who  
369 meets the requirements of this chapter upon payment of the license  
370 fee prescribed.

371           (b) Except as provided in Section 1 of Senate Bill  
372 2290, 2006 Regular Session, licenses under this chapter shall be  
373 valid for two (2) calendar years and shall be subject to renewal  
374 and shall expire unless renewed in the manner prescribed by the  
375 rules and regulations of the board, upon the payment of a biennial  
376 renewal fee to be set at the discretion of the board, but not to  
377 exceed One Hundred Dollars (\$100.00), and the presentation of  
378 evidence satisfactory to the board that the licensee has met such  
379 continuing education requirements as the board may require. An  
380 applicant for license renewal shall demonstrate to the board  
381 evidence of satisfactory completion of the continuing education  
382 requirements established by the American Dietetic Association  
383 and/or other continuing education requirements as may be required  
384 by the board.

385           (c) The board may provide for the late renewal of a  
386 license upon the payment of a late fee in accordance with its  
387 rules and regulations, but no such late renewal of a license may  
388 be granted more than one (1) year after its expiration.

389           (d) A suspended license shall be subject to expiration  
390 and may be renewed as provided in this section, but such renewal  
391 shall not entitle the licensee, while the license remains

392 suspended and until it is reinstated, to engage in the licensed  
393 activity, or in any other conduct or activity in violation of the  
394 order of judgment by which the license was suspended. If a  
395 license revoked on disciplinary grounds is reinstated, the  
396 licensee, as a condition of reinstatement, shall pay the renewal  
397 fee and any late fee that may be applicable.

398 (4) Denial or revocation of license.

399 (a) The board may deny or refuse to renew a license, or  
400 suspend or revoke a license, or issue orders to cease or desist  
401 from certain conduct, or issue warnings or reprimands where the  
402 licensee or applicant for license has been convicted of unlawful  
403 conduct or has demonstrated unprofessional conduct which has  
404 endangered or is likely to endanger the health, welfare or safety  
405 of the public. Such conduct includes:

406 (i) Obtaining a license by means of fraud,  
407 misrepresentation or concealment of material facts;

408 (ii) Being guilty of unprofessional conduct as  
409 defined by the rules and established by the board or violating the  
410 Code of Ethics of the American Dietetic Association;

411 (iii) Being convicted of a crime in any court  
412 other than a misdemeanor;

413 (iv) Violating any lawful order, rule or  
414 regulation rendered or adopted by the board; or

415 (v) Violating any provision of this chapter.

416 (b) Such denial, refusal to renew, suspension,  
417 revocation, order to cease and desist from designated conduct, or  
418 warning or reprimand may be ordered by the board in a decision  
419 made after a hearing in the manner provided by the rules and  
420 regulations adopted by the board. One (1) year from the date of  
421 the revocation of a license, application may be made to the board  
422 for reinstatement. The board shall have discretion to accept or  
423 reject an application for reinstatement and may, but shall not be  
424 required to, hold a hearing to consider such reinstatement.

425           (c) In addition to the reasons specified in paragraph  
426 (a) of this subsection (4), the board shall be authorized to  
427 suspend the license of any licensee for being out of compliance  
428 with an order for support, as defined in Section 93-11-153. The  
429 procedure for suspension of a license for being out of compliance  
430 with an order for support, and the procedure for the reissuance or  
431 reinstatement of a license suspended for that purpose, and the  
432 payment of any fees for the reissuance or reinstatement of a  
433 license suspended for that purpose, shall be governed by Section  
434 93-11-157 or 93-11-163, as the case may be. If there is any  
435 conflict between any provision of Section 93-11-157 or 93-11-163  
436 and any provision of this chapter, the provisions of Section  
437 93-11-157 or 93-11-163, as the case may be, shall control.

438           (5) Establish fees.

439           (a) A person licensed under this chapter shall pay to  
440 the board a fee, not to exceed One Hundred Dollars (\$100.00), to  
441 be set by the board for the issuance of a license.

442           (b) Such fees shall be set in such an amount as to  
443 reimburse the state to the extent feasible for the cost of the  
444 services rendered.

445           (6) Collect funds.

446           (a) The administration of the provisions of this  
447 chapter shall be financed from income accruing from fees, licenses  
448 and other charges assessed and collected by the board in  
449 administering this chapter.

450           (b) The board shall receive and account for all funds  
451 received and shall keep such funds in a separate fund.

452           (c) Funds collected under the provisions of this  
453 chapter shall be used solely for the expenses of the advisory  
454 council and the board to administer the provisions of this  
455 chapter. Such funds shall be subject to audit by the State  
456 Auditor.

457           (d) Members of the advisory council shall receive no  
458 compensation for services performed on the council, but may be  
459 reimbursed for necessary and actual expenses incurred in  
460 connection with attendance at meetings of the council or for  
461 authorized business of the council from funds made available for  
462 such purpose, as provided in Section 25-3-41.

463           (7) Receive and process complaints.

464           (a) The board shall have full authority to investigate  
465 and evaluate each and every applicant applying for a license to  
466 practice dietetics, with the advice of the advisory council.

467           (b) The board shall have the authority to issue  
468 subpoenas, examine witnesses and administer oaths, and shall, at  
469 its discretion, investigate allegations or practices violating the  
470 provisions of this chapter, and in so doing shall have power to  
471 seek injunctive relief to prohibit any person from providing  
472 professional dietetic services as defined in Section 73-10-3(1)(j)  
473 without being licensed as provided herein.

474           (8) A license certificate issued by the board is the  
475 property of the board and must be surrendered on demand.

476           **SECTION 11.** Section 73-11-51, Mississippi Code of 1972, is  
477 amended as follows:

478           73-11-51. (1) No person shall engage in the business or  
479 practice of funeral service, including embalming, and/or funeral  
480 directing or hold himself out as transacting or practicing or  
481 being entitled to transact or practice funeral service, including  
482 embalming, and/or funeral directing in this state unless duly  
483 licensed under the provisions of this chapter.

484           (2) The board is authorized and empowered to examine  
485 applicants for licenses for the practice of funeral service and  
486 funeral directing and shall issue the proper license to those  
487 persons who successfully pass the applicable examination and  
488 otherwise comply with the provisions of this chapter.

489           (3) To be licensed for the practice of funeral directing  
490 under this chapter, a person must:

491                   (a) Be at least eighteen (18) years of age;

492                   (b) Have a high school diploma or the equivalent  
493 thereof;

494                   (c) Have served as a resident trainee for not less than  
495 twenty-four (24) months under the supervision of a person licensed  
496 for the practice of funeral service or funeral directing in this  
497 state;

498                   (d) Have successfully passed a written and/or oral  
499 examination as prepared or approved by the board; and

500                   (e) Be of good moral character.

501           (4) To be licensed for the practice of funeral service under  
502 this chapter, a person must:

503                   (a) Be at least eighteen (18) years of age;

504                   (b) Have a high school diploma or the equivalent  
505 thereof;

506                   (c) Have successfully completed twelve (12) months or  
507 more of academic and professional instruction from an institution  
508 accredited by the United States Department of Education for  
509 funeral service education and have a certificate of completion  
510 from an institution accredited by the American Board of Funeral  
511 Service Education or any other successor recognized by the United  
512 States Department of Education for funeral service education;

513                   (d) Have served as a resident trainee for not less than  
514 twelve (12) months, either before or after graduation from an  
515 accredited institution mentioned above, under the supervision of a  
516 person licensed for the practice of funeral service in this state  
517 and in an establishment licensed in this state;

518                   (e) Have successfully passed the National Conference of  
519 Funeral Examiners examination as approved by the board; and

520                   (f) Be of good moral character.



521           (5) All applications for examination and license for the  
522 practice of funeral service or funeral directing shall be upon  
523 forms furnished by the board and shall be accompanied by an  
524 examination fee, a licensing fee and a nonrefundable application  
525 fee in amounts fixed by the board in accordance with Section  
526 73-11-56. The fee for an initial license, however, may be  
527 prorated in proportion to the period of time from the date of  
528 issuance to the date of biennial license renewal prescribed in  
529 subsection (8) of this section. All applications for examination  
530 shall be filed with the board office at least sixty (60) days  
531 before the date of examination. A candidate shall be deemed to  
532 have abandoned the application for examination if he does not  
533 appear on the scheduled date of examination unless such failure to  
534 appear has been approved by the board.

535           (6) The practice of funeral service or funeral directing  
536 must be engaged in at a licensed funeral establishment, at least  
537 one (1) of which is listed as the licensee's place of business;  
538 and no person, partnership, corporation, association or other  
539 organization shall open or maintain a funeral establishment at  
540 which to engage in or conduct or hold himself or itself out as  
541 engaging in the practice of funeral service or funeral directing  
542 until such establishment has complied with the licensing  
543 requirements of this chapter. A license for the practice of  
544 funeral service or funeral directing shall be used only at  
545 licensed funeral establishments; however, this provision shall not  
546 prevent a person licensed for the practice of funeral service or  
547 funeral directing from conducting a funeral service at a church, a  
548 residence, public hall, lodge room or cemetery chapel, if such  
549 person maintains a fixed licensed funeral establishment of his own  
550 or is in the employ of or an agent of a licensed funeral  
551 establishment.

552           (7) Any person holding a valid, unrevoked and unexpired  
553 nonreciprocal license in another state or territory having

554 requirements greater than or equal to those of this state as  
555 determined by the board may apply for a license to practice in  
556 this state by filing with the board a certified statement from the  
557 secretary of the licensing board of the state or territory in  
558 which the applicant holds his license certifying to his  
559 qualifications and good standing with that board by having  
560 successfully passed a written and/or oral examination on the  
561 Mississippi Funeral Service licensing law and rules and  
562 regulations as prepared or approved by the board, and by paying a  
563 nonrefundable application fee set by the board under Section  
564 73-11-56. If the board finds that the applicant has fulfilled  
565 substantially similar requirements, the board shall grant such  
566 license upon receipt of a fee in an amount equal to the renewal  
567 fee set by the board for a license for the practice of funeral  
568 service or funeral directing, as the case may be, in this state.  
569 The board may issue a temporary funeral service or funeral  
570 directing work permit before a license is granted, before the next  
571 regular meeting of the board, if the applicant for a reciprocal  
572 license has complied with all requirements, rules and regulations  
573 of the board. The temporary permit will expire at the next  
574 regular meeting of the board.

575       (8) (a) Except as provided in Section 1 of Senate Bill No.  
576 2290, 2006 Regular Session, any person holding a license for the  
577 practice of funeral service or funeral directing may have the same  
578 renewed for a period of two (2) years by making and filing with  
579 the board an application on or before the due date. Payment of  
580 the renewal fee shall be in an amount set by the board in  
581 accordance with Section 73-11-56. The board shall mail the notice  
582 of renewal and the due date for the payment of the renewal fee to  
583 the last known address of each licensee at least thirty (30) days  
584 before that date. It is the responsibility of the licensee to  
585 notify the board in writing of any change of address. An

586 application will be considered late if the application and proper  
587 fees are not in the board's office or postmarked by the due date.

588 (b) If the renewal fee is not paid on or postmarked by  
589 the due date, the license of such person shall by operation of law  
590 automatically expire and become void without further action of the  
591 board. The board may reinstate such license if application for  
592 licensure is made within a period of five (5) years, upon payment  
593 of the renewal fee for the current year, all renewal fees in  
594 arrears, and a reinstatement fee. After a period of five (5)  
595 years, the licensee must make application, pay the current renewal  
596 fee, all fees in arrears, and pass a written and/or oral  
597 examination as prepared or approved by the board.

598 (9) No license shall be assignable or valid for any person  
599 other than the original licensee.

600 (10) The board may, in its discretion, if there is a major  
601 disaster or emergency where human death is likely to occur,  
602 temporarily authorize the practice of funeral directing and  
603 funeral service by persons licensed to practice in another state  
604 but not licensed to practice in this state, provided that such  
605 services are only rendered by members of disaster mortuary teams  
606 authorized by federal or appropriate local authorities to provide  
607 such services. Only persons licensed in this state, however, may  
608 sign death certificates.

609 (11) A person who is licensed for the practice of funeral  
610 service by another state is authorized to make a removal of a  
611 deceased person, embalm a deceased person or conduct a funeral or  
612 burial service in this state, and a funeral director who is  
613 licensed by another state is authorized to conduct a funeral or  
614 burial service in this state, in the same manner and to the same  
615 extent as provided by the laws of that state to persons licensed  
616 by the State of Mississippi for the practice of funeral service or  
617 for the practice of funeral directing. The board is authorized to  
618 enter into written agreements with those states detailing the

619 manner and extent to which persons licensed by the State of  
620 Mississippi may practice funeral service or directing in that  
621 state.

622 (12) Any funeral service technology or mortuary science  
623 program accredited by the American Board of Funeral Service  
624 Education in the State of Mississippi, as well as students  
625 enrolled in such a program, shall be exempt from licensing under  
626 this chapter when embalming or otherwise preparing a deceased  
627 human body for disposition as part of a student practicum  
628 experience, when the student is directly supervised by an  
629 instructor or preceptor who holds a current funeral service  
630 license. This exemption shall apply to practicum experiences  
631 performed at an accredited institution of funeral service  
632 technology or mortuary science program or at a duly licensed  
633 funeral establishment or commercial mortuary service. Nothing in  
634 this subsection shall be construed to allow any funeral service  
635 technology or mortuary science program, or those students enrolled  
636 in such a program, to engage in practicum experiences for  
637 remuneration.

638 (13) Each application or filing made under this section  
639 shall include the social security number(s) of the applicant in  
640 accordance with Section 93-11-64.

641 **SECTION 12.** Section 73-13-31, Mississippi Code of 1972, is  
642 amended as follows:

643 73-13-31. Except as provided in Section 1 of Senate Bill No.  
644 2290, 2006 Regular Session, certificates of licensure shall expire  
645 on the last day of the month of December following their issuance  
646 or renewal and shall become invalid on that date unless renewed.  
647 It shall be the duty of the board to notify every person licensed  
648 under this chapter of the date of the expiration of his  
649 certificate and the amount of the fee that shall be required for  
650 its renewal for one (1) year. Such notice shall be sent by  
651 first-class mail to the last known address of the licensee at

652 least one (1) month in advance of the date of the expiration of  
653 said certificate. Renewal may be effected at any time during the  
654 month of December by the payment of a fee, as determined by the  
655 board, not to exceed Fifty Dollars (\$50.00). A person who is  
656 licensed as a professional engineer and as a professional surveyor  
657 may effect both renewals by the payment of a fee not to exceed  
658 Seventy-five Dollars (\$75.00). The failure on the part of any  
659 licensee to renew his certificate annually in the month of  
660 December as required above, shall not deprive such person of the  
661 right of renewal, but the fee to be paid for the renewal of a  
662 certificate after the month of December shall be increased ten  
663 percent (10%) for each month, or fraction of a month that payment  
664 of renewal is delayed; provided, however, that the maximum fee for  
665 delayed renewal shall not exceed five (5) times the normal renewal  
666 fee. A state agency or any of the state's political subdivisions,  
667 such as a county or municipality, may pay the renewal fee of any  
668 licensee who is a full-time employee; provided, however, that any  
669 licensee who permits his/her renewal fee to be paid from any  
670 public funds shall not perform engineering or surveying services  
671 for a fee or other emoluments for the public or for any other  
672 public entity. If a certificate has expired for six (6) months or  
673 more, the licensee shall be required to submit a new application,  
674 paying back fees and submitting proof of continuing professional  
675 competency compliance. If the certificate has expired for five  
676 (5) years or more, in addition to submitting a new application and  
677 proof of continuing professional competency compliance,  
678 reexamination in the principles and practice may be required. The  
679 reexamination requirement may be waived by the board provided the  
680 applicant has continued to practice in another jurisdiction from  
681 the date of expiration of his certificate.

682       **SECTION 13.** Section 73-14-31, Mississippi Code of 1972, is  
683 amended as follows:

684           73-14-31. Except as provided in Section 1 of Senate Bill No.  
685 2290, 2006 Regular Session, a person who practices the fitting and  
686 dispensing of hearing aids shall biennially pay to the board a fee  
687 of Two Hundred Dollars (\$200.00) for a renewal of his license. A  
688 grace period of thirty (30) days shall be allowed after the  
689 expiration of a license, during which the same may be renewed on  
690 payment of a fee of Two Hundred Dollars (\$200.00) to the board.  
691 The license of any person who fails to have his license renewed by  
692 the expiration of the grace period of thirty (30) days shall be  
693 considered to have lapsed. After the expiration of the grace  
694 period, the board may reinstate a license upon payment of a fee of  
695 Two Hundred Fifty Dollars (\$250.00) to the board. No person who  
696 applies for reinstatement, whose license was suspended for the  
697 sole reason of failure to renew, shall be required to submit to  
698 any examination as a condition of reinstatement, provided such  
699 person applies for reinstatement within one (1) year from the date  
700 of lapse of the license.

701           The board shall require the applicant for license renewal to  
702 present evidence of the satisfactory completion of continuing  
703 education requirements as determined by the board.

704           In the event that any licensee shall fail to meet the annual  
705 educational requirement, his license shall not be renewed by the  
706 board, but the board may renew the license upon the presentation  
707 of satisfactory evidence of educational study of a standard  
708 approved by the board and upon the payment of all fees due. No  
709 governmental entity or agency shall be required to pay the fee or  
710 fees set forth in this section.

711           **SECTION 14.** Section 73-15-27, Mississippi Code of 1972, is  
712 amended as follows:

713           73-15-27. The license of every person licensed under the  
714 provisions of this chapter shall be renewed biennially except as  
715 hereinafter provided:

716           (a) Registered nurses:

717                   (i) Except as provided in Section 1 of Senate Bill  
718 No. 2290, 2006 Regular Session, the license to practice as a  
719 registered nurse shall be valid for two (2) calendar years,  
720 beginning January 1 of each uneven-numbered year and expiring  
721 December 31 in each even-numbered year of the biennial period and  
722 subject to renewal for each period of two (2) years thereafter.

723                   (ii) An application for renewal of licensure will  
724 be mailed by the board on or before November 1 of the year the  
725 license expires to every person to whom a license was issued or  
726 renewed during the biennial period. Such application shall be  
727 completed and returned to the board by December 31 of that year  
728 with the biennial renewal fee to be set at the discretion of the  
729 board, but not to exceed Fifty Dollars (\$50.00).

730                   (iii) Upon receipt of the application and fee, the  
731 board shall verify the accuracy of the application and issue to  
732 the applicant a certificate of renewal for the ensuing period of  
733 two (2) years. Such renewal shall render the holder thereof the  
734 right to practice as a registered nurse.

735                   (iv) A registered nurse may request in writing to  
736 the board that his or her license be placed on inactive status.  
737 The board may grant such request and shall have authority, in its  
738 discretion, to attach conditions to the licensure of such  
739 registered nurse while on inactive status. A biennial renewal fee  
740 for inactive registered nurses shall be set at the discretion of  
741 the board, not to exceed Fifty Dollars (\$50.00).

742                   (v) Any registered nurse applying for a license,  
743 renewal of an active license, reinstatement of a lapsed license,  
744 or change from inactive to active status may be required to  
745 provide evidence of continuing basic nursing competencies when  
746 such nurse has not practiced nursing for compensation or performed  
747 the function of a registered nurse in a voluntary capacity with or  
748 without compensation within the five-year period immediately prior

749 to such application for a license, renewal, reinstatement or  
750 change of status.

751 (vi) Any registered nurse who permits his or her  
752 license to lapse by failing to renew the license as provided above  
753 may be reinstated by the board on satisfactory explanation for  
754 such failure to renew his or her license, by compliance with all  
755 other applicable provisions of this chapter, by completion of a  
756 reinstatement form, and upon payment of a reinstatement fee not to  
757 exceed One Hundred Dollars (\$100.00) which shall not include the  
758 renewal fee for the current biennial period. Any registered nurse  
759 who permits his or her license to lapse shall be notified by the  
760 board within fifteen (15) days of such lapse.

761 (vii) Any person practicing as a registered nurse  
762 during the time his or her license has lapsed shall be considered  
763 in violation of this chapter and shall be subject to the penalties  
764 provided for violation of this chapter, provided the registered  
765 nurse has not submitted the required reinstatement form and fees  
766 within fifteen (15) days after notification by the board of such  
767 lapse.

768 (b) Licensed practical nurses:

769 (i) Except as provided in Section 1 of Senate Bill  
770 No. 2290, 2006 Regular Session, the license to practice as a  
771 licensed practical nurse shall be valid for two (2) calendar  
772 years, beginning January 1 of each even-numbered year and expiring  
773 December 31 in each uneven-numbered year of the biennial period  
774 and subject to renewal for each period of two (2) years  
775 thereafter.

776 (ii) An application for renewal of licensure will  
777 be mailed by the board on or before November 1 of the year the  
778 license expires to every person to whom a license was issued or  
779 renewed during the biennial period. Such application shall be  
780 completed and returned to the board by December 31 of that year



781 with the biennial renewal fee to be set at the discretion of the  
782 board, but not to exceed Fifty Dollars (\$50.00).

783 (iii) Upon receipt of the application and fee, the  
784 board shall verify the accuracy of the application and issue to  
785 the applicant a certificate of renewal for the ensuing period of  
786 two (2) years. Such renewal shall render the holder thereof the  
787 right to practice as a licensed practical nurse.

788 (iv) A licensed practical nurse may request in  
789 writing to the board that his or her license be placed on inactive  
790 status. The board may grant such request and shall have  
791 authority, in its discretion, to attach conditions to the  
792 licensure of such licensed practical nurse while on inactive  
793 status. A biennial renewal fee for inactive licensed practical  
794 nurses shall be set at the discretion of the board, not to exceed  
795 Fifty Dollars (\$50.00).

796 (v) Any licensed practical nurse applying for a  
797 license, renewal of an active license, reinstatement of a lapsed  
798 license, or change from inactive to active status may be required  
799 to provide evidence of continuing basic nursing competencies when  
800 such nurse has not practiced nursing for compensation or performed  
801 the function of a licensed practical nurse in a voluntary capacity  
802 with or without compensation within the five-year period  
803 immediately prior to such application for a license, renewal,  
804 reinstatement or change of status.

805 (vi) Any licensed practical nurse who permits his  
806 or her license to lapse by failing to renew the license as  
807 provided above may be reinstated by the board upon satisfactory  
808 explanation for such failure to renew his or her license, by  
809 compliance with all other applicable provisions of this chapter,  
810 by completion of a reinstatement form, and upon payment of the  
811 reinstatement fee not to exceed One Hundred Dollars (\$100.00),  
812 which shall not include the renewal fee for the current biennial  
813 period. Any licensed practical nurse who permits his or her

814 license to lapse shall be notified by the board within fifteen  
815 (15) days of such lapse.

816 (vii) Any person practicing as a licensed  
817 practical nurse during the time his or her license has lapsed  
818 shall be considered an illegal practitioner and shall be subject  
819 to the penalties provided for violation of this chapter, provided  
820 the licensed practical nurse has not submitted the required  
821 reinstatement form and fees within fifteen (15) days after  
822 notification by the board of such lapse.

823 **SECTION 15.** Section 73-17-11, Mississippi Code of 1972, is  
824 amended as follows:

825 73-17-11. (1) From and after July 1, 1983, in order to be  
826 eligible to be licensed as a nursing home administrator an  
827 individual must submit evidence satisfactory to the board that he  
828 or she:

829 (a) Is at least twenty-one (21) years of age;

830 (b) Is of good moral character;

831 (c) Is in good health;

832 (d) Is a high school graduate or the equivalent;

833 (e) For initial licensure on or after July 1, 1988, has  
834 an associate degree from an accredited institution, or at least  
835 sixty-four (64) semester hours of college work from an accredited  
836 institution, or at least one (1) year of supervisory or  
837 administrative responsibilities in a licensed sub-acute or  
838 long-term health care facility in Mississippi within the twelve  
839 (12) months before making application; and

840 (f) Has successfully passed examinations administered  
841 by the board to test his or her proficiency and basic knowledge in  
842 the area of nursing home administration.

843 The board may establish the frequency of the offering of  
844 those examinations and the contents thereof.

845 (2) Reciprocity shall be extended to individuals holding  
846 licenses as nursing home administrators in other states, upon

847 proper application and a finding on the part of the board that (a)  
848 the applicant possesses the basic qualifications listed in this  
849 chapter, and (b) that the standards and requirements of the  
850 licensing jurisdiction under which he or she holds a license are  
851 no less stringent than those of the State of Mississippi, and (c)  
852 that the licensing jurisdiction extends reciprocity to licensees  
853 of the State of Mississippi under reasonable terms and conditions.

854 (3) The board may prescribe appropriate fees for the taking  
855 of examinations and for the issuance of licenses. Those fees  
856 shall be not more than Four Hundred Dollars (\$400.00) for taking  
857 the examinations and Four Hundred Fifty Dollars (\$450.00) for the  
858 issuance of a license. However, the fee for an initial license  
859 may be prorated in proportion to the period of time from the date  
860 of issuance and the date of biennial license renewal prescribed in  
861 subsection (4). All licenses issued under this chapter shall be  
862 for a maximum period of two (2) years.

863 (4) Except as provided in Section 1 of Senate Bill No. 2290,  
864 2006 Regular Session, the board may renew licenses \* \* \*  
865 biennially \* \* \* upon the payment of a fee to be established by  
866 the board, which shall be not more than Four Hundred Fifty Dollars  
867 (\$450.00), plus any administrative costs for late payment.

868 (5) Each application or filing made under this section shall  
869 include the social security number(s) of the applicant in  
870 accordance with Section 93-11-64.

871 **SECTION 16.** Section 73-19-21, Mississippi Code of 1972, is  
872 amended as follows:

873 73-19-21. Except as provided in Section 1 of Senate Bill No.  
874 2290, 2006 Regular Session, the board shall charge the following  
875 fees for examination, registrations and renewals of certificates:  
876 The sum of not more than Two Hundred Dollars (\$200.00) for an  
877 examination of an applicant who is a resident of Mississippi and  
878 not more than Three Hundred Dollars (\$300.00) for a nonresident of  
879 Mississippi to cover the additional expenses of checking

880 references, character and other statements contained in the  
881 application. Every registered optometrist who desires to continue  
882 the practice of optometry shall, biennially, on or before January  
883 1, pay to the secretary of the board a renewal registration fee of  
884 not more than Four Hundred Dollars (\$400.00) for which he shall  
885 receive a renewal of his certificate. The board, in its  
886 discretion, may set the renewal registration fee at different  
887 amounts for registered optometrists, for registered optometrists  
888 certified to use diagnostic pharmaceutical agents, and for  
889 registered optometrists certified to use diagnostic and  
890 therapeutic pharmaceutical agents, not to exceed the maximum  
891 amount prescribed in this section.

892 In case of neglect to pay the renewal registration fee herein  
893 specified, the board may revoke such certificate and the holder  
894 thereof may be reinstated by complying with the conditions  
895 specified in this chapter. But no certificate or permit shall be  
896 revoked without giving sixty (60) days' notice to the delinquent,  
897 who, within such period shall have the right of renewal of such  
898 certificate on payment of the renewal fee with a penalty of not  
899 more than Fifteen Dollars (\$15.00), provided, that retirement from  
900 practice for a period not exceeding five (5) years shall not  
901 deprive the holder of said certificate of the right to renew his  
902 certificate on the payment of all lapsed fees. The board shall  
903 adopt a seal and certificate of suitable design and shall conduct  
904 its examination at Jackson, in this state. Its permanent records  
905 shall be kept in the office of the secretary, which records shall  
906 be open to public inspection.

907 **SECTION 17.** Section 73-21-91, Mississippi Code of 1972, is  
908 amended as follows:

909 73-21-91. (1) Except as provided in Section 1 of Senate  
910 Bill No. 2290, 2006 Regular Session, every pharmacist shall renew  
911 his license biennially. To renew his license, a pharmacist shall:

912 (a) Submit an application for renewal on the form  
913 prescribed by the board;

914 (b) Submit satisfactory evidence of the completion in  
915 the last licensure period of such continuing education units as  
916 shall be required by the board, but in no case less than two (2)  
917 continuing education units in the last licensure period;

918 (c) Pay such renewal fees as required by the board, not  
919 to exceed Two Hundred Dollars (\$200.00) for each biennial  
920 licensing period, provided that the board may add a surcharge of  
921 not more than Five Dollars (\$5.00) to a license renewal fee to  
922 fund a program to aid impaired pharmacists or pharmacy students.  
923 Any pharmacist license renewal received postmarked after December  
924 31 of the renewal period will be returned and a Fifty Dollar  
925 (\$50.00) late renewal fee will be assessed prior to renewal.

926 (2) Any pharmacist who has defaulted in license renewal may  
927 be reinstated within two (2) years upon payment of renewal fees in  
928 arrears and presentation of evidence of the required continuing  
929 education. Any pharmacist defaulting in license renewal for a  
930 period in excess of two (2) years shall be required to  
931 successfully complete the examination given by the board pursuant  
932 to Section 73-21-85 before being eligible for reinstatement as a  
933 pharmacist in Mississippi, or shall be required to appear before  
934 the board to be examined for his competence and knowledge of the  
935 practice of pharmacy, and may be required to submit evidence of  
936 continuing education. If such person is found fit by the board to  
937 practice pharmacy in this state, the board may reinstate his  
938 license to practice pharmacy upon payment of all renewal fees in  
939 arrears.

940 (3) Each application or filing made under this section shall  
941 include the social security number(s) of the applicant in  
942 accordance with Section 93-11-64, Mississippi Code of 1972.

943 **SECTION 18.** Section 73-23-57, Mississippi Code of 1972, is  
944 amended as follows:

945           73-23-57. (1) Except as provided in Section 1 of Senate  
946 Bill No, 2290, 2006 Regular Session, every licensed physical  
947 therapist and physical therapist assistant shall apply to the  
948 board for a renewal of licensure in a manner prescribed by the  
949 rules and regulations of the board, and pay the prescribed fee,  
950 not to exceed Seventy-five Dollars (\$75.00) per year, or One  
951 Hundred Fifty Dollars (\$150.00) every two (2) years. Licenses  
952 that are not so renewed shall automatically lapse.

953           (2) The manner in which lapsed licenses shall be revived or  
954 extended shall be established by the board.

955           **SECTION 19.** Section 73-24-27, Mississippi Code of 1972, is  
956 amended as follows:

957           73-24-27. (1) Except as provided in Section 1 of Senate  
958 Bill No. 2290, 2006 Regular Session, any license issued under this  
959 chapter shall be subject to renewal and shall expire unless  
960 renewed in the manner prescribed by the rules and regulations of  
961 the board, upon the payment of a renewal fee and demonstration of  
962 completion of continuing professional education. The board may  
963 provide for the late renewal of a license upon the payment of a  
964 late fee in accordance with its rules and regulations, but no late  
965 renewal of a license may be granted more than two (2) years after  
966 its expiration.

967           (2) Upon request and payment of the license fee required,  
968 the board shall grant inactive status to a licensee who: (a) does  
969 not practice as an occupational therapist or an occupational  
970 therapy assistant, (b) does not hold himself or herself out as an  
971 occupational therapist or an occupational therapy assistant, and  
972 (c) does not maintain any continuing education requirements.

973           (3) A suspended license is subject to expiration and may be  
974 renewed as provided in this section, but such renewal shall not  
975 entitle the suspended licensee to engage in the licensed activity  
976 or in any other conduct or activity in violation of the order of  
977 judgment by which the license was suspended. If a license revoked

978 on disciplinary grounds is reinstated, the licensee, as a  
979 condition of reinstatement, shall pay the renewal fee and any late  
980 fee that may be applicable. The procedure for the reinstatement  
981 of a license that is suspended for being out of compliance with an  
982 order for support, as defined in Section 93-11-153, shall be  
983 governed by Section 93-11-157 or 93-11-163, as the case may be.

984 **SECTION 20.** Section 73-25-14, Mississippi Code of 1972, is  
985 amended as follows:

986 73-25-14. (1) Except as provided in Section 1 of Senate  
987 Bill No. 2290, 2006 Regular Session, the license of every person  
988 licensed to practice medicine or osteopathy in the State of  
989 Mississippi shall be renewed annually.

990 On or before May 1 of each year, the State Board of Medical  
991 Licensure shall mail a notice of renewal of license to every  
992 physician or osteopath to whom a license was issued or renewed  
993 during the current licensing year. The notice shall provide  
994 instructions for obtaining and submitting applications for  
995 renewal. The State Board of Medical Licensure is authorized to  
996 make applications for renewal available via electronic means. The  
997 applicant shall obtain and complete the application and submit it  
998 to the board in the manner prescribed by the board in the notice  
999 before June 30 with the renewal fee of an amount established by  
1000 the board, but not to exceed Two Hundred Dollars (\$200.00), a  
1001 portion of which fee shall be used to support a program to aid  
1002 impaired physicians and osteopaths. The payment of the annual  
1003 license renewal fee shall be optional with all physicians over the  
1004 age of seventy (70) years. Upon receipt of the application and  
1005 fee, the board shall verify the accuracy of the application and  
1006 issue to applicant a certificate of renewal for the ensuing year,  
1007 beginning July 1 and expiring June 30 of the succeeding calendar  
1008 year. That renewal shall render the holder thereof a legal  
1009 practitioner as stated on the renewal form.

1010           (2) Any physician or osteopath practicing in Mississippi who  
1011 allows his or her license to lapse by failing to renew the license  
1012 as provided in subsection (1) may be reinstated by the board on  
1013 satisfactory explanation for the failure to renew, by completion  
1014 of a reinstatement form, and upon payment of the renewal fee for  
1015 the current year, and shall be assessed a fine of Twenty-five  
1016 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)  
1017 for each month thereafter that the license renewal remains  
1018 delinquent.

1019           (3) Any physician or osteopath not practicing in Mississippi  
1020 who allows his or her license to lapse by failing to renew the  
1021 license as provided in subsection (1) may be reinstated by the  
1022 board on satisfactory explanation for the failure to renew, by  
1023 completion of a reinstatement form and upon payment of the  
1024 arrearages for the previous five (5) years and the renewal fee for  
1025 the current year.

1026           (4) Any physician or osteopath who allows his or her license  
1027 to lapse shall be notified by the board within thirty (30) days of  
1028 that lapse.

1029           (5) Any person practicing as a licensed physician or  
1030 osteopath during the time his or her license has lapsed shall be  
1031 considered an illegal practitioner and shall be subject to  
1032 penalties provided for violation of the Medical Practice Act,  
1033 provided that he or she had not submitted the required  
1034 reinstatement form and fee within fifteen (15) days after  
1035 notification by the board of the lapse.

1036           (6) Any physician or osteopath practicing in the State of  
1037 Mississippi whose license has lapsed and is deemed an illegal  
1038 practitioner under subsection (5) of this section may petition the  
1039 board for reinstatement of his or her license on a retroactive  
1040 basis, if the physician or osteopath was unable to meet the June  
1041 30 deadline due to extraordinary or other legitimate reasons, and  
1042 retroactive reinstatement of licensure shall be granted or may be



1043 denied by the board only for good cause. Failure to advise the  
1044 board of change of address shall not be considered a basis of  
1045 reinstatement.

1046 (7) None of the fees or fines provided for in this section  
1047 shall be applicable to the renewal of a special volunteer medical  
1048 license authorized under Section 73-25-18.

1049 (8) Fees collected under the provisions of this section  
1050 shall be used by the board to defray expenses of administering the  
1051 licensure provisions of the Medical Practice Act (Title 73,  
1052 Chapter 25, Mississippi Code of 1972) and to support a program to  
1053 aid impaired physicians and osteopaths in an amount determined by  
1054 the board.

1055 **SECTION 21.** Section 73-26-5, Mississippi Code of 1972, is  
1056 amended as follows:

1057 73-26-5. (1) The board shall promulgate and publish  
1058 reasonable rules and regulations necessary to enable it to  
1059 discharge its functions and to enforce the provisions of law  
1060 regulating the practice of physician assistants. Those rules  
1061 shall include, but are not limited to: qualifications for  
1062 licensure for physician assistants; scope of practice of physician  
1063 assistants; supervision of physician assistants; identification of  
1064 physician assistants; grounds for disciplinary actions and  
1065 discipline of physician assistants; and setting and charging  
1066 reasonable fees for licensure and license renewals for physician  
1067 assistants. However, nothing in this chapter or in rules adopted  
1068 by the board shall authorize physician assistants to administer or  
1069 monitor general inhaled anesthesia, epidural anesthesia, spinal  
1070 anesthesia or monitored anesthesia as utilized in surgical  
1071 procedures. The board shall promulgate rules for licensure and  
1072 license renewals in accordance with Section 1 of Senate Bill No.  
1073 2290, 2006 Regular Session.

1074 (2) If the board appoints a task force or committee to  
1075 address physician assistant regulation, at least one (1) member of

1076 the task force shall be a nurse practitioner who is a member of  
1077 the Mississippi Board of Nursing or a nurse practitioner appointee  
1078 selected by the board from a list of three (3) recommendations  
1079 submitted by the Mississippi Nurses Association, and at least one  
1080 (1) member shall be a physician assistant selected by the board  
1081 from a list of three (3) recommendations submitted by the  
1082 Mississippi Academy of Physician Assistants.

1083         **SECTION 22.** Section 73-27-12, Mississippi Code of 1972, is  
1084 amended as follows:

1085         73-27-12. (1) Except as provided in Section 1 of Senate  
1086 Bill No. 2290, 2006 Regular Session, the license of every person  
1087 licensed to practice podiatry in the State of Mississippi shall be  
1088 renewed annually.

1089         On or before May 1 of each year, the board shall mail a  
1090 notice of renewal of license to every podiatrist to whom a license  
1091 was issued or renewed during the current licensing year. The  
1092 notice shall provide instructions for obtaining and submitting  
1093 applications for renewal. The State Board of Medical Licensure is  
1094 authorized to make applications for renewal available via  
1095 electronic means. The applicant shall obtain and complete the  
1096 application and submit it to the board in the manner prescribed by  
1097 the board in the notice before June 30 with the renewal fee of an  
1098 amount established by the board, but not to exceed Two Hundred  
1099 Dollars (\$200.00), a portion of which fee shall be used to support  
1100 a program to aid impaired podiatrists. Upon receipt of the  
1101 application and fee, the board shall verify the accuracy of the  
1102 application and issue to applicant a certificate of renewal for  
1103 the ensuing year, beginning July 1 and expiring June 30 of the  
1104 succeeding calendar year. That renewal shall render the holder  
1105 thereof a legal practitioner as stated on the renewal form.

1106         (2) Any podiatrist practicing in Mississippi who allows his  
1107 or her license to lapse by failing to renew the license as  
1108 provided in subsection (1) may be reinstated by the board on

1109 satisfactory explanation for the failure to renew, by completion  
1110 of a reinstatement form, and upon payment of the renewal fee for  
1111 the current year, and shall be assessed a fine of Twenty-five  
1112 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)  
1113 for each month thereafter that the license renewal remains  
1114 delinquent.

1115 (3) Any podiatrist not practicing in Mississippi who allows  
1116 his or her license to lapse by failing to renew the license as  
1117 provided in subsection (1) may be reinstated by the board on  
1118 satisfactory explanation for the failure to renew, by completion  
1119 of a reinstatement form and upon payment of the arrearages for the  
1120 previous five (5) years and the renewal fee for the current year.

1121 (4) Any podiatrist who allows his or her license to lapse  
1122 shall be notified by the board within thirty (30) days of that  
1123 lapse.

1124 (5) Any person practicing as a licensed podiatrist during  
1125 the time his or her license has lapsed shall be considered an  
1126 illegal practitioner and shall be subject to penalties set forth  
1127 in Section 73-27-17, provided that he or she has not submitted the  
1128 required reinstatement form and fee within fifteen (15) days after  
1129 notification by the board of the lapse.

1130 (6) Any podiatrist practicing in the State of Mississippi  
1131 whose license has lapsed and is deemed an illegal practitioner  
1132 under subsection (5) of this section may petition the board for  
1133 reinstatement of his or her license on a retroactive basis, if the  
1134 podiatrist was unable to meet the June 30 deadline due to  
1135 extraordinary or other legitimate reasons, and retroactive  
1136 reinstatement of licensure shall be granted or may be denied by  
1137 the board only for good cause. Failure to advise the board of  
1138 change of address shall not be considered a basis for  
1139 reinstatement.

1140 (7) Fees collected under the provisions of this section  
1141 shall be used by the board to defray expenses of administering the

1142 licensure provisions of Title 73, Chapter 27, Mississippi Code of  
1143 1972, and to support a program to aid impaired podiatrists in an  
1144 amount determined by the board.

1145       **SECTION 23.** Section 73-29-29, Mississippi Code of 1972, is  
1146 amended as follows:

1147       73-29-29. Except as provided in Section 1 of Senate Bill No.  
1148 2290, 2006 Regular Session, each polygraph examiner's license  
1149 shall be issued for the term of one (1) year and shall, unless  
1150 suspended or revoked, be renewed annually as prescribed by the  
1151 board; provided, however, that licenses issued from and after July  
1152 1, 1994, shall be issued for terms of two (2) years and shall,  
1153 unless suspended or revoked, be renewed as prescribed by the  
1154 board. No license shall be renewed unless the board receives  
1155 satisfactory proof of such continuing education as it by  
1156 regulation requires.

1157       **SECTION 24.** Section 73-30-29, Mississippi Code of 1972, is  
1158 amended as follows:

1159       73-30-29. (1) Except as provided in Section 1 of Senate  
1160 Bill No. 2290, 2006 Regular Session, the annual renewal of license  
1161 fee under this chapter shall be Fifty Dollars (\$50.00) per year.  
1162 License renewal fees may be increased by the board as deemed  
1163 necessary, but may not be increased by more than ten percent (10%)  
1164 of the previous year's fee.

1165       (2) From and after January 1, 2004, a licensed professional  
1166 counselor must complete twelve (12) hours of continuing education  
1167 before a license may be renewed. Continuing education courses  
1168 must be in the field in which the counselor practices. A minimum  
1169 of three (3) hours of continuing education must be in the field of  
1170 professional ethics. The board may determine which continuing  
1171 education courses are admissible, and the decisions of the board  
1172 are final. Courses submitted for other certification processes  
1173 will be admissible. The board must adhere to the guidelines as

1174 provided by the National Board of Certified Counselors with regard  
1175 to credit for teaching courses, workshops and serving on boards.

1176 **SECTION 25.** Section 73-31-9, Mississippi Code of 1972, is  
1177 amended as follows:

1178 73-31-9. (1) All fees from applicants seeking licensing  
1179 under this chapter and all license renewal fees received under  
1180 this chapter shall be nonrefundable.

1181 (2) The board shall charge an application fee to be  
1182 determined by the board but not to exceed Three Hundred Dollars  
1183 (\$300.00) to applicants for licensing, and shall charge the  
1184 applicant for the expenses incurred by the board for examination  
1185 of the applicant.

1186 (3) Except as provided in Section 1 of Senate Bill No. 2290,  
1187 2006 Regular Session, every licensed psychologist in this state  
1188 shall annually pay to the board a fee determined by the board but  
1189 not to exceed Three Hundred Dollars (\$300.00); and the executive  
1190 secretary shall thereupon issue a renewal of the license for a  
1191 term of one (1) year. The license of any psychologist who shall  
1192 fail to renew during the month of July in each and every year  
1193 shall lapse; the failure to renew the license, however, shall not  
1194 deprive said psychologist of the right of renewal thereafter.  
1195 Such lapsed license may be renewed within a period of two (2)  
1196 years after such lapse upon payment of all fees in arrears. A  
1197 psychologist wishing to renew a license which has been lapsed for  
1198 more than two (2) years shall be required to reapply for  
1199 licensure.

1200 (4) On July 1, 1993, and every odd numbered year thereafter,  
1201 no psychologist license shall be renewed unless the psychologist  
1202 shows evidence of a minimum of twenty (20) clock hours of  
1203 continuing education activities approved by the board.

1204 (5) All fees and any other monies received by the board  
1205 shall be deposited in a special fund that is created in the State  
1206 Treasury and shall be used for the implementation and

1207 administration of this chapter when appropriated by the  
1208 Legislature for such purpose. The monies in the special fund  
1209 shall be subject to all provisions of the state budget laws that  
1210 are applicable to special fund agencies, and disbursements from  
1211 the special fund shall be made by the State Treasurer only upon  
1212 warrants issued by the State Fiscal Officer upon requisitions  
1213 signed by the chairman or executive secretary of the board. Any  
1214 interest earned on this special fund shall be credited by the  
1215 State Treasurer to the fund and shall not be paid into the State  
1216 General Fund. Any unexpended monies remaining in the special fund  
1217 at the end of a fiscal year shall not lapse into the State General  
1218 Fund. The State Auditor shall audit the financial affairs of the  
1219 board and the transactions involving the special fund at least  
1220 once a year in the same manner as for other special fund agencies.

1221 This section shall stand repealed from and after July 1,  
1222 2011.

1223 **SECTION 26.** Section 73-33-7, Mississippi Code of 1972, is  
1224 amended as follows:

1225 73-33-7. The Mississippi State Board of Public Accountancy  
1226 is authorized to charge each applicant a fee for a certified  
1227 public accountant license. However, a firm permit to practice  
1228 public accounting shall be issued without the assessment of a fee  
1229 by the board. All fees shall be in such amounts as to be  
1230 determined by the board and paid when the application is filed.

1231 Except as provided in Section 1 of Senate Bill No. 2290, 2006  
1232 Regular Session, on or before January 1 of each year, each holder  
1233 of a certified public accountant license issued by the Mississippi  
1234 State Board of Public Accountancy shall register and pay a  
1235 reasonable annual registration fee in such amount as to be  
1236 determined by the board. If any certified public accountant fails  
1237 to register and pay the annual registration fee on or before  
1238 January 1, notice of such default shall be sent to the certified  
1239 public accountant by certified mail to the delinquent registrant's

1240 last known address as shown by the records of the board. The  
1241 license of any certified public accountant who fails to register  
1242 and pay the annual registration fee within ten (10) days after  
1243 notice is given shall be automatically cancelled, and the board  
1244 shall enter the cancellation on its records.

1245 On or before January 1 of each year, each certified public  
1246 accountant firm holding a permit to practice public accounting  
1247 shall register with the board without the assessment of a  
1248 registration fee. If any firm fails to register on or before  
1249 January 1, notice of such default shall be sent to the firm by  
1250 certified mail to the firm's last known address as shown by the  
1251 records of the board. The permit to practice of any firm who  
1252 fails to register within ten (10) days after notice is given shall  
1253 be automatically cancelled, and the board shall enter the  
1254 cancellation on its records.

1255 Any person who has lost a certified public accountant license  
1256 or a firm which has lost a permit to practice in this state by  
1257 failure to register or failure to pay the annual registration fee  
1258 if so required under this section, or who voluntarily cancels or  
1259 surrenders such license or permit, may be again licensed or have a  
1260 firm permit reinstated by the board without reexamination,  
1261 provided such person or firm shall again comply with the  
1262 requirements of this chapter and the rules and regulations of the  
1263 board; file application for registration; and, if required to pay  
1264 a fee under this section, pay all fees in arrears, late fees and a  
1265 reinstatement fee as set by the board.

1266 Out of the funds collected under this chapter shall be paid  
1267 the expenses of the members of the board, including mileage, hotel  
1268 expenses and per diem compensation as provided in Section 25-3-69,  
1269 for the time expended in carrying out the duties of the office;  
1270 provided, however, no expense incurred by the board shall ever be  
1271 charged against the funds of the state in excess of amounts  
1272 collected under this section.

1273           **SECTION 27.** Section 73-34-25, Mississippi Code of 1972, is  
1274 amended as follows:

1275           73-34-25. Except as provided in Section 1 of Senate Bill No.  
1276 2290, 2006 Regular Session, a license issued under the authority  
1277 of this chapter shall expire two (2) years from the last day of  
1278 the month of issuance.

1279           **SECTION 28.** Section 73-35-17, Mississippi Code of 1972, is  
1280 amended as follows:

1281           73-35-17. (1) A fee not to exceed One Hundred Fifty Dollars  
1282 (\$150.00) shall accompany an application for a real estate  
1283 broker's license, and in the event that the applicant successfully  
1284 passes the examination, no additional fee shall be required for  
1285 the issuance of a license for a one-year period; provided, that if  
1286 an applicant fails to pass the examination, he may be eligible to  
1287 take the next or succeeding examination without the payment of an  
1288 additional fee. In the event a contract testing service is  
1289 utilized, the application fee along with the additional testing  
1290 fee as incurred by the commission in contracting the cost of the  
1291 examination shall accompany such application.

1292           (2) For each license as a real estate broker issued to a  
1293 member of a partnership, association or officer of a corporation  
1294 other than the member or officer named in the license issued to  
1295 such partnership, association or corporation, a fee not to exceed  
1296 Seventy-five Dollars (\$75.00) shall be charged.

1297           (3) A fee not to exceed One Hundred Twenty Dollars (\$120.00)  
1298 shall accompany an application for a real estate salesperson's  
1299 license, and in the event that the applicant successfully passes  
1300 the examination, no additional fee shall be required for the  
1301 issuance of a license for a one-year period; provided, that if an  
1302 applicant fails to pass the examination, he may be eligible to  
1303 take the next or succeeding examination without the payment of an  
1304 additional fee. In the event a contract testing service is  
1305 utilized, the applicable fee along with the prevailing cost



1306 incurred by the commission in contracting the cost of the  
1307 examination shall accompany such application.

1308       (4) Except as provided in Section 1 of Senate Bill No. 2290,  
1309 2006 Regular Session, it shall be the duty of all persons,  
1310 partnerships, associations, companies or corporations licensed to  
1311 practice as a real estate broker or salesperson to register with  
1312 the commission annually or biennially, in the discretion of the  
1313 commission, according to rules promulgated by it and to pay the  
1314 proper registration fee. An application for renewal of license  
1315 shall be made to the commission annually no later than December 31  
1316 of each year, or biennially on a date set by the commission. A  
1317 licensee failing to pay his renewal fee after the same becomes due  
1318 and after two (2) months' written notice of his delinquency mailed  
1319 to him by United States certified mail addressed to his address of  
1320 record with the commission shall thereby have his license  
1321 automatically cancelled. Any licensee renewing in this grace  
1322 period shall pay a penalty in the amount of one hundred percent  
1323 (100%) of the renewal fee. The renewal fee shall not exceed  
1324 Seventy-five Dollars (\$75.00) per year for real estate brokers,  
1325 partnerships, associations and corporations. The renewal fee for  
1326 a real estate salesperson's license shall not exceed Sixty Dollars  
1327 (\$60.00) per year.

1328       (5) For each additional office or place of business, an  
1329 annual fee not to exceed Fifty Dollars (\$50.00) shall be charged.

1330       (6) For each change of office or place of business, a fee  
1331 not to exceed Fifty Dollars (\$50.00) shall be charged.

1332       (7) For each duplicate or transfer of salesperson's license,  
1333 a fee not to exceed Fifty Dollars (\$50.00) shall be charged.

1334       (8) For each duplicate license, where the original license  
1335 is lost or destroyed, and affidavit made thereof, a fee not to  
1336 exceed Fifty Dollars (\$50.00) shall be charged.

1337       (9) To change status as a licensee from active to inactive  
1338 status, a fee not to exceed Twenty-five Dollars (\$25.00) shall be

1339 charged. To change status as a licensee from inactive to active  
1340 status, a fee not to exceed Fifty Dollars (\$50.00) shall be  
1341 charged.

1342 (10) For each bad check received by the commission, a fee  
1343 not to exceed Twenty-five Dollars (\$25.00) shall be charged.

1344 (11) A fee not to exceed Five Dollars (\$5.00) per hour of  
1345 instruction may be charged to allay costs of seminars for  
1346 educational purposes provided by the commission.

1347 (12) A fee not to exceed Twenty-five Dollars (\$25.00) may be  
1348 charged for furnishing any person a copy of a real estate license,  
1349 a notarized certificate of licensure or other official record of  
1350 the commission.

1351 (13) A fee not to exceed One Hundred Dollars (\$100.00) shall  
1352 be charged to review and process the application and instructional  
1353 materials for each curriculum seeking acceptance as a real estate  
1354 continuing education course developed to satisfy the mandatory  
1355 continuing education requirements for this chapter, with the  
1356 period of approval expiring after one (1) year. A fee not to  
1357 exceed Fifty Dollars (\$50.00) shall be charged for each renewal of  
1358 a previously approved course, with the period of renewal expiring  
1359 after one (1) year.

1360 (14) Fees, up to the limits specified herein, shall be  
1361 established by the Mississippi Real Estate Commission.

1362 **SECTION 29.** Section 73-36-29, Mississippi Code of 1972, is  
1363 amended as follows:

1364 73-36-29. Except as provided in Section 1 of Senate Bill No.  
1365 2290, 2006 Regular Session, all licenses issued under the  
1366 provisions of this chapter shall expire after December 31 of odd  
1367 numbered years and shall become invalid after that date unless  
1368 renewed. The secretary of the board shall mail a notice to every  
1369 person registered under this chapter notifying the person of the  
1370 date of the expiration of his license and the amount of fee  
1371 required for its renewal for two (2) years. The notice shall be

1372 mailed to the latest known address, according to the board's  
1373 records, at least one (1) month in advance of the date of the  
1374 expiration of the license. The board shall from time to time fix  
1375 the fee for renewal of licenses, provided the fee shall not exceed  
1376 the amount of One Hundred Dollars (\$100.00) for two (2) years'  
1377 renewal. Any registrant failing to renew his license and applying  
1378 for a license shall be required to pay a fee as set by the board  
1379 not to exceed twice the total amount of the license fees had his  
1380 license been continued in effect, and also to comply with such  
1381 other reasonable requirements as may be established by rules and  
1382 regulations of the board.

1383       **SECTION 30.** Section 73-38-29, Mississippi Code of 1972, is  
1384 amended as follows:

1385       73-38-29. (1) Except as provided in Section 1 of Senate  
1386 Bill No. 2290, 2006 Regular Session, licenses issued under this  
1387 chapter shall expire and become invalid at midnight of the  
1388 expiration date.

1389       (2) Every person licensed under this chapter shall, on or  
1390 before the license expiration date, pay a fee for the biennial  
1391 renewal of license to the board. The board may suspend the  
1392 license of any person who fails to have his license renewed by the  
1393 expiration date. After the expiration date, the board may renew a  
1394 license upon payment of a fee to the board. No person who  
1395 requests renewal of license, whose license has expired, shall be  
1396 required to submit to examination as a condition to renewal, if  
1397 such renewal application is made within two (2) years from the  
1398 date of such expiration.

1399       (3) A suspended license is subject to expiration and may be  
1400 renewed as provided in this section, but such renewal shall not  
1401 entitle the licensee, while the license remains suspended and  
1402 until it is reinstated, to engage in the licensed activity, or in  
1403 any other conduct or activity in violation of the order or  
1404 judgment by which the license was suspended.

1405 (4) A license revoked on disciplinary grounds is subject to  
1406 expiration as provided in subsection (1) of this section, but it  
1407 may not be renewed. If such license is reinstated after its  
1408 expiration, the licensee, as a condition of reinstatement, shall  
1409 pay a reinstatement fee in an amount equal to the fee for a  
1410 license issued after the expiration date which is in effect on the  
1411 last preceding regular renewal date before the date on which it is  
1412 reinstated. The procedure for the reinstatement of a license that  
1413 is suspended for being out of compliance with an order for  
1414 support, as defined in Section 93-11-153, shall be governed by  
1415 Section 93-11-157 or 93-11-163, as the case may be.

1416 (5) Any person who fails to renew his license within the two  
1417 (2) years after the date of its expiration may not renew it, and  
1418 it may not be restored, reissued or reinstated thereafter, but  
1419 such person may apply for and obtain a new license if he meets the  
1420 requirements of this chapter.

1421 **SECTION 31.** Section 73-39-75, Mississippi Code of 1972, is  
1422 amended as follows:

1423 73-39-75. (1) Except as provided in Section 1 of Senate  
1424 Bill No. 2290, 2006 Regular Session, all licenses shall expire  
1425 August 1 of each year but may be renewed by registration with the  
1426 board and payment of the license renewal fee. At least thirty  
1427 (30) days in advance, the board shall mail an expiration notice to  
1428 each licensed veterinarian and include a form for renewal.

1429 (2) The board shall establish the continuing education  
1430 requirements that must be met for license renewal.

1431 (3) Any person may renew an expired license within five (5)  
1432 years of the date of its expiration by making written application  
1433 for renewal, paying the current renewal fee and a reinstatement  
1434 fee of Five Hundred Dollars (\$500.00), plus all delinquent renewal  
1435 fees and complying with continuing education requirements.

1436 (4) The board may waive the payment of the registration  
1437 renewal fee of a licensed veterinarian during the period when he

1438 is on active duty with any branch of the Armed Services of the  
1439 United States.

1440 (5) Any licensed veterinarian who is sixty-five (65) years  
1441 of age or older and who is employed as a veterinarian on a  
1442 part-time basis only shall be exempt from payment of such renewal  
1443 fee.

1444 (6) The payment of the annual license renewal fee shall be  
1445 optional for all veterinarians seventy (70) years and older.

1446 **SECTION 32.** Section 73-42-11, Mississippi Code of 1972, is  
1447 amended as follows:

1448 73-42-11. (1) Except as otherwise provided in subsection  
1449 (3), the Secretary of State shall issue a certificate of  
1450 registration to an individual who complies with Section  
1451 73-42-9(1).

1452 (2) Except as otherwise provided in subsection (3), the  
1453 Secretary of State shall issue a certificate of registration to an  
1454 individual whose application has been accepted under Section  
1455 73-42-9(2).

1456 (3) The Secretary of State may refuse to issue a certificate  
1457 of registration if the Secretary of State determines that the  
1458 applicant has engaged in conduct that has a significant adverse  
1459 effect on the applicant's fitness to serve as an athlete agent.  
1460 In making the determination, the Secretary of State may consider  
1461 whether the applicant has:

1462 (a) Been convicted of a crime that, if committed in  
1463 this state, would be a felony or other crime involving moral  
1464 turpitude;

1465 (b) Made a materially false, misleading, deceptive or  
1466 fraudulent representation as an athlete agent or in the  
1467 application;

1468 (c) Engaged in conduct that would disqualify the  
1469 applicant from serving in a fiduciary capacity;

1470 (d) Engaged in conduct prohibited by Section 73-42-27;

1471 (e) Had a registration or licensure as an athlete agent  
1472 suspended, revoked, or denied or been refused renewal of  
1473 registration or licensure in any state;

1474 (f) Engaged in conduct or failed to engage in conduct  
1475 the consequence of which was that a sanction, suspension or  
1476 declaration of ineligibility to participate in an interscholastic  
1477 or intercollegiate athletic event was imposed on a student-athlete  
1478 or educational institution; or

1479 (g) Engaged in conduct that significantly adversely  
1480 reflects on the applicant's credibility, honesty or integrity.

1481 (4) In making a determination under subsection (3), the  
1482 Secretary of State shall consider:

1483 (a) How recently the conduct occurred;

1484 (b) The nature of the conduct and the context in which  
1485 it occurred; and

1486 (c) Any other relevant conduct of the applicant.

1487 (5) An athlete agent may apply to renew a registration by  
1488 submitting an application for renewal in a form prescribed by the  
1489 Secretary of State. An application filed under this section is a  
1490 public record. The application for renewal must be signed by the  
1491 applicant under penalty of perjury and must contain current  
1492 information on all matters required in an original registration.

1493 (6) An individual who has submitted an application for  
1494 renewal of registration or licensure in another state, in lieu of  
1495 submitting an application for renewal in the form prescribed  
1496 pursuant to subsection (5), may file a copy of the application for  
1497 renewal and a valid certificate of registration from the other  
1498 state. The Secretary of State shall accept the application for  
1499 renewal from the other state as an application for renewal in this  
1500 state if the application to the other state:

1501 (a) Was submitted in the other state within the last  
1502 six (6) months and the applicant certifies the information  
1503 contained in the application for renewal is current;

1504           (b) Contains information substantially similar to or  
1505 more comprehensive than that required in an application for  
1506 renewal submitted in this state; and

1507           (c) Was signed by the applicant under penalty of  
1508 perjury.

1509           (7) Except as provided in Section 1 of Senate Bill No. 2290,  
1510 2006 Regular Session, a certificate of registration or a renewal  
1511 of a registration is valid for two (2) years.

1512           **SECTION 33.** Section 73-53-15, Mississippi Code of 1972, is  
1513 amended as follows:

1514           73-53-15. All original licenses shall be valid for one (1)  
1515 year, unless earlier suspended or revoked by the board, and each  
1516 person to whom a license is issued shall pay a fee of not more  
1517 than Fifty Dollars (\$50.00) therefor to the board. Except as  
1518 provided in Section 1 of Senate Bill No. 2290, 2006 Regular  
1519 Session, licenses shall be renewed biennially after initial  
1520 licensure upon payment of a fee of not more than One Hundred Fifty  
1521 Dollars (\$150.00) for licensed social workers, Two Hundred Dollars  
1522 (\$200.00) for licensed master social workers and Two Hundred  
1523 Dollars (\$200.00) for licensed certified social workers, and being  
1524 in compliance with such additional requirements as the board shall  
1525 promulgate.

1526           **SECTION 34.** Section 73-54-27, Mississippi Code of 1972, is  
1527 amended as follows:

1528           73-54-27. (1) Except as provided in Section 1 of Senate  
1529 Bill No. 2290, 2006 Regular Session, licenses issued under this  
1530 chapter shall be valid for two (2) years and must be renewed  
1531 biennially, in September, with the renewal fee being determined by  
1532 the board but not to exceed Two Hundred Dollars (\$200.00).

1533           (2) The license of any marriage and family therapist who  
1534 fails to renew biennially during the month of September shall  
1535 lapse; the failure to renew the license shall not deprive the  
1536 marriage and family therapist of the right of renewal thereafter.

1537 Such lapsed license may be renewed within a period of two (2)  
1538 years after such lapse upon payment of all fees in arrears.

1539 (3) A marriage and family therapist wishing to renew a  
1540 license that has been lapsed for more than two (2) years shall be  
1541 required to reapply for licensure.

1542 (4) The board shall notify each license holder in writing of  
1543 the pending license expiration no later than the thirtieth day  
1544 before the date on which the license expires.

1545 (5) The board shall require each license holder to  
1546 participate in approved continuing education activities in order  
1547 to renew a license issued under this chapter.

1548 (6) Any person who notifies the board, in writing on forms  
1549 prescribed by the board, may place his license on inactive status  
1550 and shall be excused from the payment of renewal fees until the  
1551 person notifies the board in writing of the intention to resume  
1552 active practice. Any person requesting his license to be changed  
1553 from inactive to active status shall be required to pay the  
1554 current fee and shall also demonstrate compliance with continuing  
1555 education requirements as defined by the board.

1556 **SECTION 35.** Section 73-55-13, Mississippi Code of 1972, is  
1557 amended as follows:

1558 73-55-13. (1) Except as provided in Section 1 of Senate  
1559 Bill No. 2290, 2006 Regular Session, a person licensed as an  
1560 athletic trainer under this chapter shall pay to the board a fee  
1561 not to exceed Three Hundred Dollars (\$300.00) for every three-year  
1562 period for a renewal of his license.

1563 (2) Continuing education requirements for license renewal  
1564 shall be fulfilled during three-year periods running concurrently  
1565 with the requirement to maintain certification through the  
1566 National Athletic Trainers' Association Board of Certification,  
1567 Inc.

1568 (3) A licensee must complete sixty (60) hours of continuing  
1569 education during the three-year period as approved by the National



1570 Athletic Trainers' Association Board of Certification, Inc. Proof  
1571 of the completion of continuing education as required by this  
1572 section shall be turned in to the board within thirty (30) days of  
1573 the completion or proof that the continuing education requirements  
1574 have been filed with the National Athletic Trainers' Association.

1575 **SECTION 36.** Section 73-57-27, Mississippi Code of 1972, is  
1576 amended as follows:

1577 73-57-27. (1) A license shall be renewed biennially except  
1578 as herein provided or as provided in Section 1 of Senate Bill No.  
1579 2290, 2006 Regular Session. The board shall mail notices at least  
1580 thirty (30) calendar days prior to expiration for renewal of  
1581 license to every person to whom a license was issued or renewed  
1582 during the preceding renewal period. The licensee shall complete  
1583 the notice of renewal and return it to the board with the renewal  
1584 fee before the date of expiration.

1585 (2) Upon receipt of the notice of renewal and the fee, the  
1586 board shall verify its contents and shall issue the licensee a  
1587 license for the current renewal period, which shall be valid for  
1588 the period stated thereon. The board, with the advice of the  
1589 council, shall establish continuing education requirements for  
1590 biennial renewal of the license, which shall include proof of  
1591 completion of at least fifteen (15) clock hours approved by the  
1592 board for continuing education credit.

1593 (3) A licensee who allows his license to lapse by failing to  
1594 renew it may be reinstated by the board upon payment of the  
1595 renewal fee and reinstatement fee provided that such request for  
1596 reinstatement is made within two (2) years of the end of the  
1597 renewal period.

1598 (4) A respiratory care practitioner who does not engage in  
1599 the practice of respiratory care during the succeeding renewal  
1600 period is not required to pay the renewal fee as long as he  
1601 remains inactive. If he desires to resume the practice of  
1602 respiratory care, he shall notify the board of his intent and

1603 shall satisfy the current requirements of the board in addition to  
1604 remitting the renewal fee for the current renewal period of the  
1605 reinstatement fee. Requirements of the board shall include a  
1606 specific period of time of continuous inactivity after which  
1607 testing is required.

1608 (5) The board is authorized to establish fees for  
1609 replacement and duplicate licenses.

1610 **SECTION 37.** Section 73-59-3, Mississippi Code of 1972, is  
1611 amended as follows:

1612 73-59-3. (1) Except as otherwise provided in Section  
1613 73-59-15 or Section 1 of Senate Bill No. 2290, 2006 Regular  
1614 Session, persons who perform residential construction or  
1615 residential improvement shall be licensed by the board annually,  
1616 and, as a prerequisite to obtaining a license or renewal thereof,  
1617 each shall submit to the board:

1618 (a) Proof of workers' compensation insurance, if  
1619 applicable;

1620 (b) A federal employment identification number or  
1621 social security number.

1622 (2) The board shall not require liability insurance to be  
1623 licensed under this chapter but if a licensee has liability  
1624 insurance it shall be reflected on the certificate of licensure.

1625 (3) The board shall issue or renew a license to a  
1626 residential builder or remodeler upon payment to the board of the  
1627 license fee. The initial license fee shall be Fifty Dollars  
1628 (\$50.00). The license fee may thereafter be increased or  
1629 decreased by the board and cannot exceed One Hundred Dollars  
1630 (\$100.00); however, the receipts from fees collected by the board  
1631 shall be no greater than the amount required to pay all costs and  
1632 expenses incurred by the board in enforcing the provisions of this  
1633 chapter. Twenty-five Dollars (\$25.00) of the fee required by this  
1634 section which is assessed to residential builders licensed under  
1635 the provisions of Section 73-59-1 et seq. shall be deposited to

1636 the Construction Education Fund created pursuant to Section  
1637 31-3-14 and shall be distributed to the Mississippi Housing  
1638 Institute. The remaining fees collected under this chapter shall  
1639 be deposited into the special fund in the State Treasury known as  
1640 the "State Board of Contractor's Fund" created pursuant to Section  
1641 31-3-17 and shall be used for the administration and enforcement  
1642 of this chapter and as provided in Section 31-3-14. Amounts in  
1643 such fund shall not lapse into the State General Fund at the end  
1644 of a fiscal year. Interest accrued to such fund shall remain in  
1645 the fund. All expenditures from the special fund shall be by  
1646 requisition to the Department of Finance and Administration,  
1647 signed by the executive secretary of the board and countersigned  
1648 by the chairman or vice chairman of the board.

1649 (4) Except as provided in Section 1 of Senate Bill No. 2290,  
1650 2006 Regular Session, the license shall expire on the last day of  
1651 the twelfth month following its issuance or renewal and shall  
1652 become invalid unless renewed. The board shall notify by mail  
1653 every licensee under this chapter of the date of the expiration of  
1654 his license and the amount of the fee required for renewal of the  
1655 license for one (1) year. Such notice shall be mailed within  
1656 thirty (30) days prior to the expiration date of the license. The  
1657 failure on the part of any licensee to renew his license annually  
1658 in such twelfth month shall not deprive such licensee of the right  
1659 of renewal, provided that renewal is effected within one hundred  
1660 twenty (120) days after the expiration date of the license by  
1661 payment of the license fee plus a penalty of ten percent (10%) of  
1662 the license fee. A new license required to replace a revoked,  
1663 lost, mutilated or destroyed license may be issued, subject to the  
1664 rules of the board, for a charge of not more than Twenty-five  
1665 Dollars (\$25.00).

1666 (5) Any person who is not a resident of the State of  
1667 Mississippi who desires to perform residential construction or

1668 residential improvement shall be licensed to perform such  
1669 construction or improvement as provided by this chapter.

1670         **SECTION 38.** Section 73-60-21, Mississippi Code of 1972, is  
1671 amended as follows:

1672         73-60-21. Except as provided in Section 1 of Senate Bill No.  
1673 2290, 2006 Regular Session, a license under this chapter shall  
1674 expire two (2) years after its date of issuance. The commission  
1675 may issue a renewal license without examination, on submission of  
1676 a completed renewal application, payment of the required license  
1677 renewal fee, and successful completion of continuing education  
1678 requirements.

1679         **SECTION 39.** Section 73-61-3, Mississippi Code of 1972, is  
1680 amended as follows:

1681         73-61-3. (1) For the purposes of this section, the term  
1682 "body piercing" means the creation of an opening in any part of  
1683 the human body, other than the outer perimeter or lobe of the ear,  
1684 for the purpose of inserting jewelry or other decorative object,  
1685 or for some other nonmedical purpose.

1686         (2) No person shall perform body piercing upon any person  
1687 for compensation within the State of Mississippi without first  
1688 registering with the State Department of Health. The facility or  
1689 premises in which body piercing is to be performed shall be  
1690 specified in the registration, and the registered person shall be  
1691 authorized to perform body piercing only in the specified facility  
1692 or premises. Except as provided in Section 1 of Senate Bill No.  
1693 2290, 2006 Regular Session, registrations shall be valid for one  
1694 (1) year, and each person registered under this section shall pay  
1695 an annual registration fee to the department in an amount set by  
1696 the department, but not to exceed One Hundred Fifty Dollars  
1697 (\$150.00), which fee shall be uniform for all registered persons.

1698         (3) The State Board of Health shall promulgate rules and  
1699 regulations relating to:

1700           (a) Health, cleanliness and general sanitation of the  
1701 facilities or premises in which body piercing is performed or to  
1702 be performed;

1703           (b) Sterilization of body piercing apparatus and safe  
1704 disposal of body piercing apparatus;

1705           (c) Procedures to prevent the transmission of disease  
1706 or infection during or relating to body piercing procedures,  
1707 specifically including, but not limited to, transmission of  
1708 Hepatitis B and the human immunodeficiency virus (HIV); and

1709           (d) Such other administrative provisions as may be  
1710 necessary to protect public health or properly administer the  
1711 requirements of this section.

1712           (4) Representatives of the department may visit any facility  
1713 or premises in which body piercing is performed at any time during  
1714 business hours to ensure compliance with the requirements of this  
1715 section and the rules and regulations promulgated under this  
1716 section. Representatives of the department shall visit each  
1717 facility or premises in which body piercing is performed not less  
1718 than once each year to inspect for such compliance. The  
1719 department may suspend or revoke the registration of any person  
1720 found to be violating any of the rules or regulations promulgated  
1721 under this section.

1722           (5) It shall be unlawful for any person to perform body  
1723 piercing upon any person under the age of eighteen (18) years.

1724           (6) Any person who performs body piercing for compensation  
1725 without first registering with the department or after his  
1726 registration has been suspended or revoked by the department, or  
1727 any person who performs body piercing upon any person in violation  
1728 of subsection (5) of this section, is guilty of a misdemeanor and,  
1729 upon conviction, shall be punished by a fine of not less than One  
1730 Hundred Dollars (\$100.00) nor more than Five Hundred Dollars  
1731 (\$500.00).

1732           (7) The department is authorized to bring an action for an  
1733 injunction under the provisions of Sections 73-51-1 through  
1734 73-51-5 to prohibit any person who is required to be registered  
1735 under this section from performing body piercing without first  
1736 registering with the department or after his registration has been  
1737 suspended or revoked by the department.

1738           (8) This section shall not apply to physicians licensed to  
1739 practice medicine in Mississippi in the performance of their  
1740 professional duties.

1741           **SECTION 40.** Section 73-63-35, Mississippi Code of 1972, is  
1742 amended as follows:

1743           73-63-35. (1) Except as provided in Section 1 of Senate  
1744 Bill No. 2290, 2006 Regular Session, certificates of registration  
1745 shall be valid for a period of two (2) years, and shall expire on  
1746 a date or dates established by the board. The board shall notify  
1747 every registered professional geologist of the date of expiration  
1748 of that person's certificate and the amount of the fee that shall  
1749 be required for its renewal at least sixty (60) days before the  
1750 expiration date. Upon expiration, a certificate shall be  
1751 cancelled and is invalid, and may not be renewed unless provided  
1752 in this chapter.

1753           (2) The board shall renew the certificate of registration or  
1754 certificate of enrollment of any registrant who, within sixty (60)  
1755 days following the expiration date:

1756           (a) Submits a renewal application, the renewal fee and  
1757 any penalty for late renewal; and

1758           (b) Meets the requirements for renewal established by  
1759 the board which may include requiring evidence of continued  
1760 competence in the practice of geology through a review of  
1761 qualifications and experience.

1762           (3) The board shall establish requirements and conditions  
1763 for the reissuance of certificates of registration and

1764 certificates of enrollment which have lapsed, expired, or have  
1765 been suspended or revoked.

1766 (4) The board shall issue a new certificate to replace any  
1767 certificate of registration or certificate of enrollment which has  
1768 been lost, destroyed, or mutilated. The holder of the certificate  
1769 shall bear the cost of issuing a new certificate.

1770 **SECTION 41.** Section 73-65-9, Mississippi Code of 1972, is  
1771 amended as follows:

1772 73-65-9. (1) Except as provided in Section 1 of Senate Bill  
1773 No. 2290, 2006 Regular Session, each license holder shall renew  
1774 the license to practice art therapy biennially by submitting a  
1775 renewal application on a form provided by the board, paying a  
1776 license renewal fee, and producing evidence of completion of  
1777 relevant professional continuing education experience satisfactory  
1778 to the board, not to exceed forty (40) hours per renewal cycle.

1779 (2) A ninety-day grace period shall be allowed for each  
1780 license holder after the licensure period, during which time the  
1781 license may be renewed upon payment of the renewal fee, the late  
1782 fee, and compliance with all renewal requirements.

1783 (3) Any license granted by the board shall be automatically  
1784 suspended if the holder fails to apply for the license renewal  
1785 pursuant to this section within a period of three (3) months after  
1786 the renewal deadline; however, any suspended license may be  
1787 restored by the board upon payment of a reinstatement fee not to  
1788 exceed One Hundred Dollars (\$100.00) in addition to any unpaid  
1789 renewal or late fees. Failure to renew a license within three (3)  
1790 months from the date of suspension as provided in this section  
1791 shall cause the license to be automatically revoked.

1792 Reinstatement of a revoked license shall require the license  
1793 holder to reapply and meet all current standards for licensure.

1794 (4) A person licensed under the provisions of Section  
1795 73-65-7 who intends to retire as a licensed professional art  
1796 therapist shall notify the board in writing before the expiration

1797 of his current licensure. If, within a period of five (5) years  
1798 from the year of retirement, the license holder wishes to resume  
1799 practice as a licensed professional art therapist, he shall notify  
1800 the board in writing, and upon giving proof of completing the  
1801 required continuing education and the payment of an amount  
1802 equivalent to elapsed renewal fees, the license shall be restored  
1803 in full effect.

1804 **SECTION 42.** Section 73-67-15, Mississippi Code of 1972, is  
1805 amended as follows:

1806 73-67-15. (1) The board shall:

1807 (a) Adopt an official seal and keep a record of its  
1808 proceedings, persons registered as massage therapists, and a  
1809 record of the certificates of registration that have been revoked  
1810 or suspended;

1811 (b) Keep on file all appropriate records pertaining to  
1812 each certificate of registration;

1813 (c) Annually, on or before February 15, make a report  
1814 to the Governor and Legislature of all of its official acts during  
1815 the preceding year, its total receipts and disbursements, and a  
1816 full and complete report of relevant statistical and significantly  
1817 notable conditions of massage therapists in this state as  
1818 uniformly stipulated by the board;

1819 (d) Evaluate the qualifications of applicants for  
1820 registration under this chapter, and advise applicants as to the  
1821 acceptance or denial of registration with any reasons for denial  
1822 within forty-five (45) days;

1823 (e) Issue certificates of registration to applicants  
1824 who meet the requirements of this chapter;

1825 (f) Inspect, or have inspected, when required, the  
1826 business premises of any registered massage therapist during their  
1827 operating hours, so long as that inspection does not infringe on  
1828 the reasonable privacy of any therapist's clients;



1829           (g) Establish minimum training and educational  
1830 standards for obtaining a certificate of registration under this  
1831 chapter, provided that requirements do not decrease;

1832           (h) Establish a procedure for approval of educational  
1833 standards required by this chapter;

1834           (i) Investigate persons suspected of engaging in  
1835 practices that may violate provisions of this chapter;

1836           (j) Revoke, suspend or deny a certificate of  
1837 registration in accordance with the provisions of this chapter;

1838           (k) Adopt an annual budget;

1839           (l) Establish policies with respect to continuing  
1840 education;

1841           (m) Adopt rules:

1842               (i) Specifying standards and procedures for  
1843 issuance of a provisional permit;

1844               (ii) Specifying registration procedures for  
1845 practitioners desiring to be registered in this state who hold an  
1846 active license or credentials from another state board;

1847               (iii) The board shall prescribe renewal  
1848 procedures, requirements, dates and fees for massage therapy  
1849 certificates of registration issued by the board and shall include  
1850 provisions for inactive and lapsed registrations; such rules shall  
1851 be in accordance with Section 1 of Senate Bill No. 2290, 2006  
1852 Regular Session;

1853           (n) Make available all forms necessary for carrying out  
1854 all provisions of this chapter and any and all necessary business  
1855 of the board;

1856           (o) Establish written duties of the executive director;

1857           (p) Establish a set of reasonable and customary fines  
1858 and penalties for violations of this chapter, and fees, including  
1859 refund policies, which shall be standardized and not exceeded  
1860 unless amended with at least thirty (30) days' notice to those who  
1861 are registered;

1862           (q) Establish, amend or repeal any rules or regulations  
1863 necessary to carry out the purposes of this chapter and the duties  
1864 and responsibilities of the board. Affected practitioners shall  
1865 be sent relevant changes no less than once per registration  
1866 renewal;

1867           (r) The board shall maintain a current register listing  
1868 the name of every massage therapist registered to practice in this  
1869 state, his/her last known place of business and last known place  
1870 of residence, and the date and number of his/her certificate of  
1871 registration;

1872           (s) The board shall set up guidelines for the operation  
1873 of schools of massage therapy, and it is charged with that  
1874 regulation in this state. The board may prescribe reasonable  
1875 rules and regulations governing schools of massage therapy for the  
1876 guidance of persons registered under this chapter in the operation  
1877 of schools of massage therapy and in the practice of massage  
1878 therapy. When the board has reasons to believe that any of the  
1879 provisions of this chapter or the rules and regulations of the  
1880 board have been violated, either upon receipt of a written  
1881 complaint alleging those violations or upon the board's own  
1882 initiative, the board or any of its authorized agents shall  
1883 investigate same and may enter upon the premises of a school of  
1884 massage therapy at any time during regular business hours of that  
1885 school to conduct the investigation. The investigation may  
1886 include, but not be limited to, conducting oral interviews with  
1887 the complaining party, school or school owner(s) and/or students  
1888 of the school, and reviewing records of the school pertinent to  
1889 the complaint and related to an area subject to the authority of  
1890 the board.

1891           (2) Each board member shall be held accountable to the  
1892 Governor for the proper performance of all duties and obligations  
1893 of the member's office. Board members shall be immune from civil

1894 liability pertaining to any legal functions involving the carrying  
1895 out of the activities and responsibilities of this chapter.

1896           **SECTION 43.** This act shall take effect and be in force from  
1897 and after its passage.